REMARKS

This is a full and timely response to the non-final Office Action mailed by the U.S. Patent and Trademark Office on August 24, 2004. Upon entry of the foregoing amendments, claims 1 – 17 and 19 – 21 remain pending. Claim 18 was canceled via a previously filed amendment. Claims 1, 8, and 15 are amended.

Reconsideration of the pending claims is respectfully requested. Each rejection presented in the Office Action is discussed in the remarks that follow.

I. **Response to Claim Rejections Under 35 U.S.C. §103 – Claims 1 – 4, 8 – 11, and 15 – 17**

A. **Statement of the Rejection**

The Office Action indicates that claims 1 – 4, 8 – 11, and 15 – 17 stand rejected under 35 U.S.C. §103(a), as allegedly being unpatentable over U.S. Patent 6,195,680 to Goldszmidt (hereafter *Goldszmidt*) in view of U.S. Patent No. 6,389,473 to Carmel *et al.* (hereafter *Carmel*). Note that the Office Action identifies Fernstrom as the named inventor of U.S. Patent 6,389,473, which is issued to *Carmel*.

B. **Discussion of the Rejection**

In order for a claim to be properly rejected under 35 U.S.C. §103, the combined teachings of the prior art references must suggest all features of the claimed invention to one of ordinary skill in the art. See, *e.g.*, *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

The cited references (*i.e.*, *Goldszmidt* and *Carmel*) do not show the combination of elements recited in Applicants' claimed invention. Thus, the cited references fail to meet the burden of disclosing, teaching, or suggesting each feature of Applicants' claimed invention. Consequently, for at least this reason, the rejection fails to establish a *prima facie* case of obviousness when applied to Applicants' claims 1 – 4, 8 – 11, and 15 – 17. Accordingly, the claim rejections under 35 U.S.C. §103 should be withdrawn.

Specifically, and with particular regard to the claims, each of Applicants' independent claims include at least one element or method step that is not disclosed, taught, or suggested by the client-based dynamic switching of streaming servers for

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fault tolerance and load balancing apparently disclosed in *Goldszmidt* and the system and method for network media streaming apparently disclosed in *Carmel*.

1. Claims 1 – 4

Applicants' independent claim 1, as amended, is directed to a system for pacing the transmission of locally generated input events from a local application that are to be shared with at least one corresponding remote application during a collaborative communication session. The system comprises a local application sharing logic coupled to the local application, said local application sharing logic configured to "receive one or more locally generated input events to be shared from said local application with the at least one corresponding remote application, wherein the input events are injected into the at least one corresponding remote application such that it appears as if the locally generated events were generated by input devices attached to the at least one corresponding remote application."

Goldszmidt and *Carmel* do not disclose, teach, or suggest "a local application sharing logic configured to receive one or more locally generated input events to be shared from said local application with the at least one corresponding remote application, wherein the input events are injected into the at least one corresponding remote application such that it appears as if the locally generated events were generated by input devices attached to the at least one corresponding remote application." For at least this reason, independent claim 1 is allowable over the proposed combination of *Goldszmidt* and *Carmel*.

Accordingly, Applicants respectfully submit that the proposed combination of *Goldszmidt* and *Carmel* does not establish a *prima facie* case of obviousness with regard to Applicants' independent claim 1. Thus, claim 1 is allowable and the rejection of claim 1 should be withdrawn.

Because claim 1 is allowable, pending dependent claims 2 – 4, which depend either directly or indirectly from claim 1, are also allowable. *See In re Fine*, 837, F.2d 1071, 5 U.S.P.Q.2d 1596, 1598. (Fed. Cir. 1988.) Accordingly, Applicants respectfully request that the rejection of claims 1 – 4 be withdrawn.

2. Claims 8 – 11

Applicants amended claim 8 is directed to a computer implemented method for pacing the transmission of input events associated with a local application that are shared with at least one corresponding remote application during a collaborative communication session. The method comprises "communicating a current state of a local window tree," and "transmitting said input events to be shared from said local application, wherein the input events are injected into the at least one corresponding remote application such that it appears as if the locally generated events were generated by input devices attached to the at least one corresponding remote application." The method further comprises "providing a local application sharing logic configured to . . . transmit said input events to be shared together with said inserted echo events to a remote application responsive to the local window tree."

Neither *Goldszmidt* nor *Carmel* disclose, teach, or suggest a method for pacing the transmission of input events comprising "communicating a current state of a window tree." For at least this reason, independent claim 8 is allowable over the proposed combination of *Goldszmidt* and *Carmel*.

In addition, *Goldszmidt* and *Carmel* do not disclose, teach, or suggest a method for pacing the transmission of input events comprising "transmitting said one or more input events to be shared from said local application, wherein the input events are injected into the at least one corresponding remote application such that it appears as if the locally generated events were generated by input devices attached to the at least one corresponding remote application." For at least this separate and distinct reason, independent claim 8 is allowable over the proposed combination of *Goldszmidt* and *Carmel*.

Finally, *Goldszmidt* and *Carmel* also do not disclose, teach, or suggest a method for pacing the transmission of input events comprising "providing a local application sharing logic configured to . . . transmit said input events to be shared together with said inserted echo events to a remote application responsive to the local window tree." For at least this separate and distinct reason, independent claim 8 is allowable over the proposed combination of *Goldszmidt* and *Carmel*.

Accordingly, Applicants respectfully submit that the proposed combination of *Goldszmidt* and *Carmel* does not establish a *prima facie* case of obviousness with

regard to Applicants' independent claim 8. Thus, claim 8 is allowable and the rejection of claim 8 should be withdrawn.

Because claim 8 is allowable, pending dependent claims 9 – 11, which depend either directly or indirectly from claim 8, are also allowable. *See In re Fine*, 837, F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 8 – 11 be withdrawn.

3.   Claims 15 – 17

Applicants amended claim 15 is directed to a system for pacing the transmission of input events associated with a local application that are shared with at least one corresponding remote application during a collaborative communication session. The pacing system comprises "means for communicating a current state of a local window tree," and "means for transmitting said one or more input events to be shared from said local application responsive to the local window tree."

Goldszmidt and *Carmel* do not disclose, teach, or suggest Applicants' claimed system for pacing the transmission of input events during a collaborative communication session that comprises "means for communicating a current state of a local window tree." Because *Goldszmidt* and *Carmel* do not disclose, teach, or suggest communicating a current state of a local window tree, *Goldszmidt* and *Carmel* cannot disclose, teach, or suggest transmitting said one or more input events to be shared from said local application responsive to the local window tree.

Accordingly, Applicants respectfully submit that the proposed combination of *Goldszmidt* and *Carmel* does not establish a *prima facie* case of obviousness with regard to Applicants' independent claim 15. Thus, claim 15 is allowable and the rejection of claim 15 should be withdrawn.

Because claim 15 is allowable, pending dependent claims 16 and 17, which depend either directly or indirectly from claim 15, are also allowable. *See In re Fine*, 837, F.2d 1071, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Accordingly, Applicants respectfully request that the rejection of claims 15 – 17 be withdrawn.

II.   Response to 35 U.S.C. §103 Rejections - Claims 5 – 7, 12 – 14, and 19 – 21

A.   Statement of the Rejection

Claims 5 – 7, 12 – 14, and 19 – 21 presently stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Goldszmidt* and *Carmel* in further view of U.S. Patent No. 4,942,540 to *Black.*

B.   Discussion of the Rejection

The cited references (*i.e.*, *Goldszmidt*, *Carmel* and *Black*) do not show the combination of elements recited in Applicants' claimed invention.

For example, claims 5 – 7 depend from claim 1, which defines a local application sharing logic coupled to the local application, said local application sharing logic configured to "receive one or more locally generated input events to be shared from said local application with the at least one corresponding remote application, wherein the input events are injected into the at least one corresponding remote application such that it appears as if the locally generated events were generated by input devices attached to the at least one corresponding remote application." The combination of *Goldszmidt*, *Carmel* and *Black* does not disclose, teach, or suggest Applicants' claimed local application sharing logic. Accordingly, the rejection of claims 5 – 7 should be withdrawn.

Claims 12 – 14 depend from claim 8, which defines a method for pacing the transmission of one or more input events associated with a local application that are shared with at least one corresponding remote application during a collaborative communication session. The method comprises "communicating a current state of a local window tree," "transmitting said one or more input events to be shared from said local application, wherein the input events are injected into the at least one corresponding remote application such that it appears as if the locally generated events were generated by input devices attached to the at least one corresponding remote application," and "providing a local application sharing logic configured to receive said input events to be shared, said local application sharing logic further configured to . . . transmit said input events to be shared together with said inserted echo events to a remote application responsive to the local window tree. The combination of *Goldszmidt*, *Carmel* and *Black* does not disclose, teach, or suggest Applicants'

claimed method for pacing the transmission of one or more input events. Accordingly, the rejection of claims 12 – 14 should be withdrawn.

By way of further example, claims 19 – 21 depend from claim 15, which defines a system for pacing the transmission of input events associated with a local application that are shared with at least one corresponding remote application during a collaborative communication session. The pacing system comprises "means for communicating a current state of a local window tree," and "means for transmitting said one or more input events to be shared from said local application responsive to the local window tree." The combination of *Goldszmidt, Carmel* and *Black* does not disclose, teach, or suggest Applicants' claimed system for pacing the transmission of input events. Accordingly, the rejection of claims 19 – 21 should be withdrawn.

Thus, the cited references fail to meet the burden of disclosing, teaching, or suggesting each feature of Applicants' claimed invention. Consequently, for at least this reason, the rejection fails to establish a *prima facie* case of obviousness when applied to Applicants' claims 5 – 7, 12 – 14, and 19 – 21. Accordingly, the claim rejections under 35 U.S.C. §103 should be withdrawn.

CONCLUSION

In summary, Applicants respectfully request that all outstanding claim rejections be withdrawn. Applicants respectfully submit that presently pending claims 1 – 17 and 19 – 21 are allowable over the cited art of reference and the present application is in condition for allowance. Accordingly, a Notice of Allowance is respectfully solicited. Should the Examiner have any comment regarding the Applicants' response or believe that a teleconference would expedite prosecution of the pending claims, Applicants request that the Examiner telephone Applicants' undersigned attorney.

Respectfully submitted,

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